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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,328	03/09/2001	Radu Serban Jasinski	US000202	7325
24737	7590	03/06/2008		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
			EXAMINER DIEP, NHON THANH	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 03/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/803,328

Applicant(s)

JASINSCHI, RADU SERBAN

Examiner

Nhon T. Diep

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/9/2001; 12/10/2003.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-34 are rejected under 35 U.S.C. 102(b) as being anticipated by article titled "A Bayesian Framework for Semantic Content Characterization" by Vasconcelos, hereafter Vasconcelos et al, cited by the Applicant.

Vasconcelos et al discloses a Bayesian framework for semantic content characterization comprising the same data processing device for processing an information signal comprising:

at least one stage, wherein a first stage includes (figure 1 shows at least one stage and the stage has three layers),

a first layer having first plurality of nodes for extracting content attributes from the information signal (Attribute variables, B layer, has B1, B2,..., Bk); and

a second layer having at least one node for determining context information for the at least one node using the content attributes of selected nodes in an other layer or a next stage, and for integrating certain ones of the content attributes and the context information at the at least one node (second layer A, node A1 using the integration of content attributes of B1 and B2 of the previous layer and pages 567-568, paragraph 3.1) as specified in claims 1, 15 and 23; wherein each stage is associated with a set of

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a hierarchical priors (each stage is associated with a set of priors in the hierarchical scheme as in the Bayesian network figure 1) as specified in claims 4 and 25; wherein each stage is represented by a Bayesian network (figure 1 is a Bayesian, one stage, three layers network) as specified in claims 5 and 26; wherein the content attributes are selected from the group consisting of audio, visual, keyframes, visual text, and text (visual sensor, page 568, paragraph 3.2) as specified in claims 6, 17 and 27; wherein the integration of each layer is arranged to combine certain ones of the content attributes and the context information for the at least one node at different levels of granularity and wherein the different levels of granularity are selected from the group consisting of the program, sub-program, scene, shot, frame, object, object parts and pixel level (figure 1, A layer (middle layer) , node A2 is the integration of top layer B1, B2 and Bk and figure 2 shows sailing and skiing = program or sub-program) as specified in claims 7, 9, 18, 20, 28 and 30; wherein the integration of each layer is arranged to combine certain ones of the content attributes and the context information for the at least one node at different levels of abstraction and wherein the different level of abstraction is selected from the group consisting of the pixels in an image, objects in 3-D space and transcript text character (Water or sky or snow of figure 2) as specified in claims 8, 10, 19, 21, 29 and 31; wherein the selected nodes are related to each other by directed arcs in a directed acyclic graph (DAG); wherein a selected node is associated with a cpd of an attribute defining the selected node being true given the truthfulness of the attribute associated with a parent node (pages 567-568, paragraph 3.1) as specified in claims 11-12, 22 and 32-33; wherein the first layer is further arranged to group certain

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ones of the content attributes for the each one of the first plurality of nodes (figure 3, 1st layer) as specified in claim 13; wherein the nodes of each layer correspond to stochastic variables (pages 567-568, paragraph 3.1 and applicant's specs., also paragraph 0077 of the present application discloses as prior art: "In general, Bayesian networks are direct acyclical graphs (DAG) in which: (i) the nodes correspond to (stochastic) variables") as specified in claims 14 and 34; wherein the determining step includes using the context information from information cascaded from a higher layer or stage to the at least one node, and for integrating the information at the at least one node (figure 3, second layer) as specified in claim 16; and wherein the probability generating code further includes using context information cascaded from higher layers or stages to a node, and for integrating the cascaded information at the node (figures 1, second layer, node A2 or figure 2, middle layer, node "sky") as specified in claim 24.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasconcelos et al, in view of article titled "Real time video scene detection and classification" by Gauch.

As applied to claim 1 above, it is noted that Vasconcelos et al does not particularly disclose the data processing device of claim 1 further including a second

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stage, the second stage having, at least one layer having at least one node for determining context information for the at least one node using the content attributes of selected nodes in an other layer or a next stage, and for integrating certain ones of the content attributes and the context information for the at least one node as specified in claim 2; and wherein the at least one node of the second layer of the first stage includes determining the context information from: information cascaded from a higher layer or the second stage to the at least one node, and for integrating the information at the at least one node as specified in claim 3. Gauch et al teaches that it is possible to extract not only video but audio and closed caption text feature as well (pages 393-394: "System architecture and implementation"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Vasconcelos et al by further processing audio and/or closed caption text feature as taught by Gauch as additional stages the way Vasconcelos et al processes video information using the Bayesian framework. Doing so would help to further segment image information.

5. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vasconcelos et al.

As applied to claim 1 above, it is noted that Vasconcelos et al does not particularly disclose the data processing device of claim 1 comprises a memory for stores process steps and a processor to execute the stored processed steps as specified in claim 35. The examiner takes Official Notice that using memory to store process steps and using computer to execute the stored process steps is well known

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method steps in the pertinent art and therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use memory to store process steps and using computer to execute the stored process steps. Doing so would help to expedite the process.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ball et al (US 6,212,502 B1) discloses modeling and protecting emotion and personality from a computer user interface.

b. Chadwick et al (US 6,853, 952 B2) discloses method and systems of enhancing the effectiveness and success of research and development.

c. Chu et al (US 2005/0015644 A1) disclose network connection agents and troubleshooters.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Dhondiep', written over a horizontal line.

ND

**NHON DIEP
PRIMARY EXAMINER**